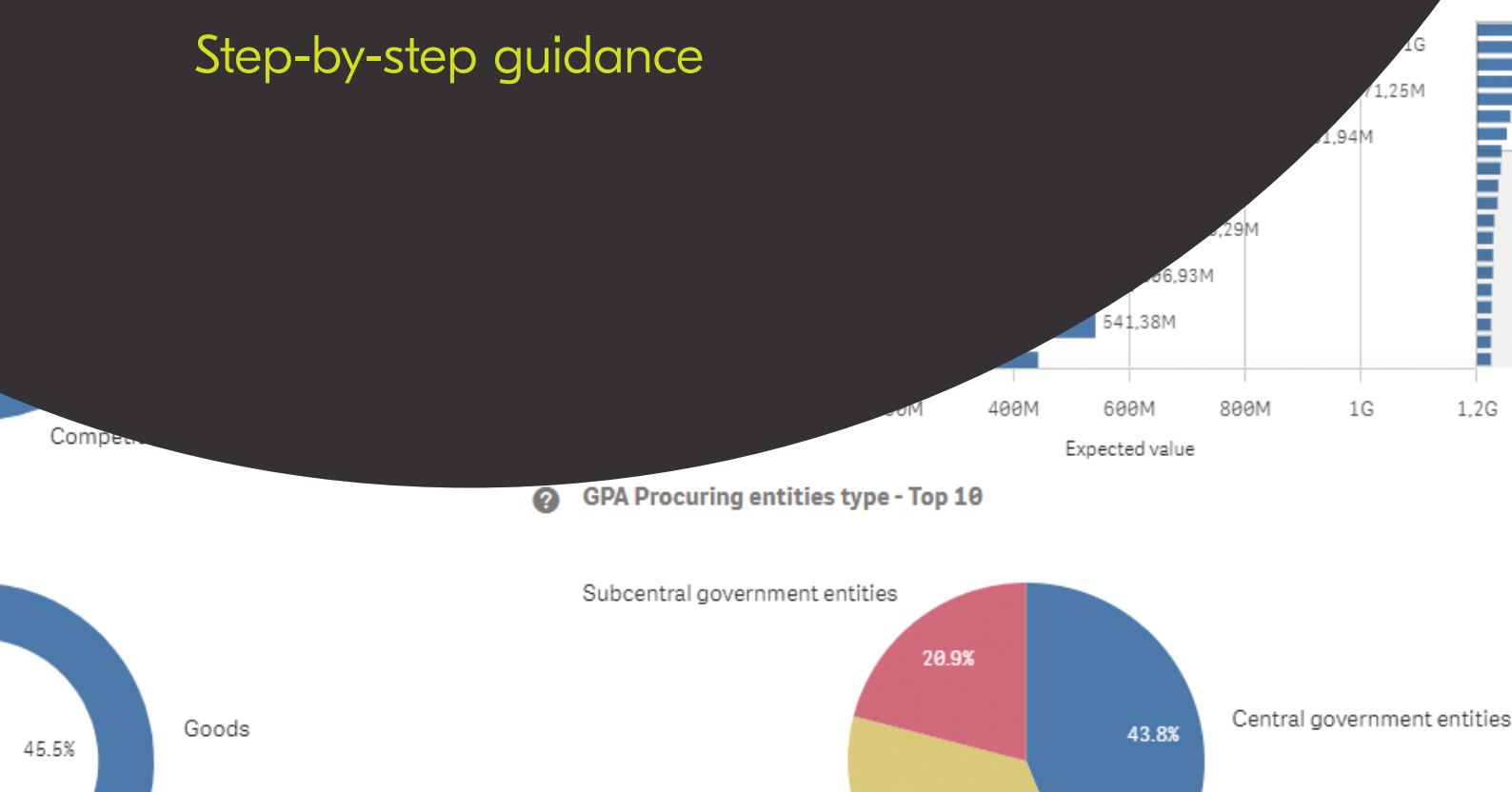


# How open data helps WTO GPA objectives

Step-by-step guidance



## SUMMARY

This paper shows how publishing standardized open data on public procurement can help achieve the World Trade Organization General Procurement Agreement (WTO GPA) objectives. It demonstrates how collecting and publishing procurement data in a globally recognized Open Contracting Data Standard makes it easier to:

- 1 fulfill the WTO GPA transparency requirements; and
- 2 track useful statistics required by the Agreement, effectively eliminating the burden of reporting to the WTO GPA Secretariat.

### This paper looks at:

What is the WTO GPA? (page 1)

Why good information is important to the WTO GPA? (page 1)

What is the Open Contracting Data Standard? (page 1)

How the OCDS helps collect and publish to WTO GPA transparency requirements (page 3)

How the OCDS helps report procurement statistics (page 3)

Conclusion (page 5)

Finally, we check what the WTO GPA requires in terms of procurement transparency (page 6).

## What is the WTO GPA?

The WTO GPA is a trade agreement to open up and ensure mutual, fair access to procurement markets. It is based on reciprocity between partners. The GPA is meant to spur economic growth by making it easier and fairer for people to buy and sell goods, works, and services across borders. The Agreement comprises 48 countries (the EU plus 20 others); about a dozen other countries have also signed association agreements with the EU or are in the process of joining the WTO GPA.

## Why good information is important to the WTO GPA

High-quality and useful information for businesses is key to achieving the WTO GPA objectives. Companies must be able to identify tender opportunities easily for countries to improve the cross-border trade environment. As cross-border bidding increases, so does competition, which leads to better prices for better works, goods, and services.

To that effect, the GPA contains binding obligations to publish information about tender opportunities open to the companies of trading partners. It also requires countries to report statistics on their procurement activities to ensure fair access. These obligations are in addition to the transparency requirements of local laws, often based on the [UNCITRAL Model Law on Public Procurement](#) (see specific requirements listed in Annex I).

In practice, governments struggle with disclosing tender opportunities and other information to promote cross-border procurement effectively. Beyond the language issues, procurement information is often incomplete, of poor quality and scattered across multiple databases. Reporting to the GPA and sharing procurement opportunities involves a lot of manual data entry and collection, as government agencies do not organize their procurement systems to maintain reliable and usable information about procurement activities covered by the WTO GPA.

## What is the Open Contracting Data Standard?

The [Open Contracting Data Standard \(OCDS\)](#) is a free, non-proprietary open data standard for public contracting, being implemented [around the world](#).

The OCDS enables the disclosure of data and documents at all stages of the contracting process by defining a common data model. The OCDS is free and openly licensed. It was created to support organizations to increase contracting transparency, and allow a wide range of users to analyze contracting data in detail. It is the only international open standard for the publication of procurement and contracting information.

The OCDS provides:

- A set of recommended data fields and documents to disclose;
- A common structured data model;
- An approach to regularly publish information on all contracting processes;
- Guidance and tools to support implementation; and
- A free global helpdesk ([data@open-contracting.org](mailto:data@open-contracting.org))

At the heart of the OCDS is the idea that a contracting process should be traceable across the entire contracting cycle, from planning and tender, through to award and implementation. The data made available at each stage described in the diagram below should be usable by, and useful to, key stakeholders, including businesses, citizens and government itself.



Because the standard provides guidance on both *what* to publish and how to publish, the standardized data can be compared and analyzed more easily. When procurement information is published according to the OCDS, visualization and analysis tools<sup>1</sup> can be adapted and reused (reducing costs and promoting innovation).

Currently, around 40 countries are committed to publishing public procurement information in OCDS format and 23 are already successfully doing so, including GPA members Australia, Armenia, Canada, Moldova, and the UK, while others are actively working toward implementation (Cyprus, France, Italy, Lithuania, the Netherlands, and Poland).

The [OCDS](#) is supported by the [Open Contracting Partnership \(OCP\)](#) – a non-profit organization based in Washington DC that was incubated by the World Bank until 2015. The OCP promotes principles of [open contracting](#), conducts research, and delivers technical assistance to impactful procurement reforms. It offers a free technical helpdesk to support potential and existing OCDS publishers. The helpdesk can be reached at [data@open-contracting.org](mailto:data@open-contracting.org).

The OCDS and open contracting have been internationally endorsed at the highest levels. The [G7 Biarritz statement on Transparency in Public Procurement and the Common Fight Against Corruption](#) states: “We recognize the role of open data in enhancing compliance with integrity standards in the performance of major public contracts, as well as in ensuring strong involvement by the different actors of civil society. We encourage open contracting tools and practices as an efficient innovative solution to the challenge of making procurement more effective, fairer and more transparent and fully taking into account the different levels of development of countries.”

Importantly, the latest edition of the OECD Methodology for Assessing Procurement Systems (MAPS) complements the open contracting global [principles](#) and aligns with the open contracting scoping [methodology](#). Other large international actors, including the World Bank, the European Bank for Reconstruction and Development, and the United Nations Development Programme also support the values of open contracting in their programs.

## How the OCDS helps collect and publish to WTO GPA transparency requirements

Oftentimes, procurement information is scattered around multiple national/municipal databases and many countries suffer from a lack of technical means to gather and centralize high-quality procurement data. The OCDS can be used to *collect* all the information required under the WTO GPA (and beyond) in a standardized way. Various countries, including Moldova, Paraguay, and Ukraine, have used the OCDS to gather information from multiple sources into a central database in a structured way.

The OCDS can also be used to *publish* the information required under the WTO GPA in a standardized format that is universally accepted and used. This improves access to the data, allowing publication to serve not only a compliance function, but also performance management and market research purposes. Releasing data in OCDS format unlocks opportunities to reuse more than 40 existing open-source analysis tools, from simple performance monitoring indicators to more sophisticated red-flag detection systems.<sup>2</sup>

## ADDITIONAL RESOURCES

Several countries, such as Ukraine and Moldova, have used the OCDS to inform the structure of e-procurement databases. The OCP has developed guidance on defining OCDS functional requirements for electronic government procurement systems, helping countries to integrate OCDS into terms of reference for new systems. You can find it here: <http://bit.ly/eGP-resource>

The OCP has guidance on how to map information required by Article 7 of the GPA agreement to the OCDS at <http://standard.open-contracting.org/profiles/gpa/master>. It shows how to describe fields of procurement information required under Article 7 in OCDS. OCDS can also be used to describe fields required by Articles 9, 10, 13, 14 and 16.

## How the OCDS helps report procurement statistics

Article 16 states that a member country may substitute annual reporting by maintaining appropriate statistics on national websites. This means that if a country publishes OCDS data and develops statistical dashboards in line with Article 16 requirement (see below), it can effectively eliminate the reporting burden.

Using the OCDS to report across the required statistics is easy. Technical implementers can access detailed step-by-step guidance from the OCP here: <http://bit.ly/OCPaustraliaexample>

<sup>1</sup> A directory of OCDS tools: <https://www.open-contracting.org/resources/open-contracting-tools-directory/>

<sup>2</sup> Library of all OCDS tools can be found at <http://bit.ly/tools-directory>

For a non-technical audience, we will briefly describe the key steps:

**STEP 1: Understand what is to be included in and excluded from reports**

GPA Article 16 requires procuring entities to report, for example, on the number and total value of all contracts covered by the Agreement, but each country has exceptions that should be taken into account when determining the scope of reporting. Australia, for instance, applies specific thresholds for goods, works, and services that are excluded from their GPA reports.

**STEP 2: Identify required data fields**

Once one knows what exactly is to be captured in reports, it is then easy to determine the specific fields required. For example, when a report includes the total value of all contracts covered by the GPA Agreement (with appropriate exclusions), the list of fields would likely look like this:

- a) Procuring entity
- b) Contract date
- c) Contract value
- d) Classification of the object of procurement, from an internationally recognized uniform classification system
- e) Procurement method
- f) Classification of the object of procurement into goods, services or construction services.
- g) Parent entity (or similar entity hierarchy data)
- h) Budget source
- i) Buyer entity

**STEP 3: Map required fields to OCDS**

Once the fields to be captured are known, they can be mapped directly to the OCDS. The OCDS technical helpdesk offers assistance to do this. The above mentioned fields' mapping to OCDS might look like this, for example:

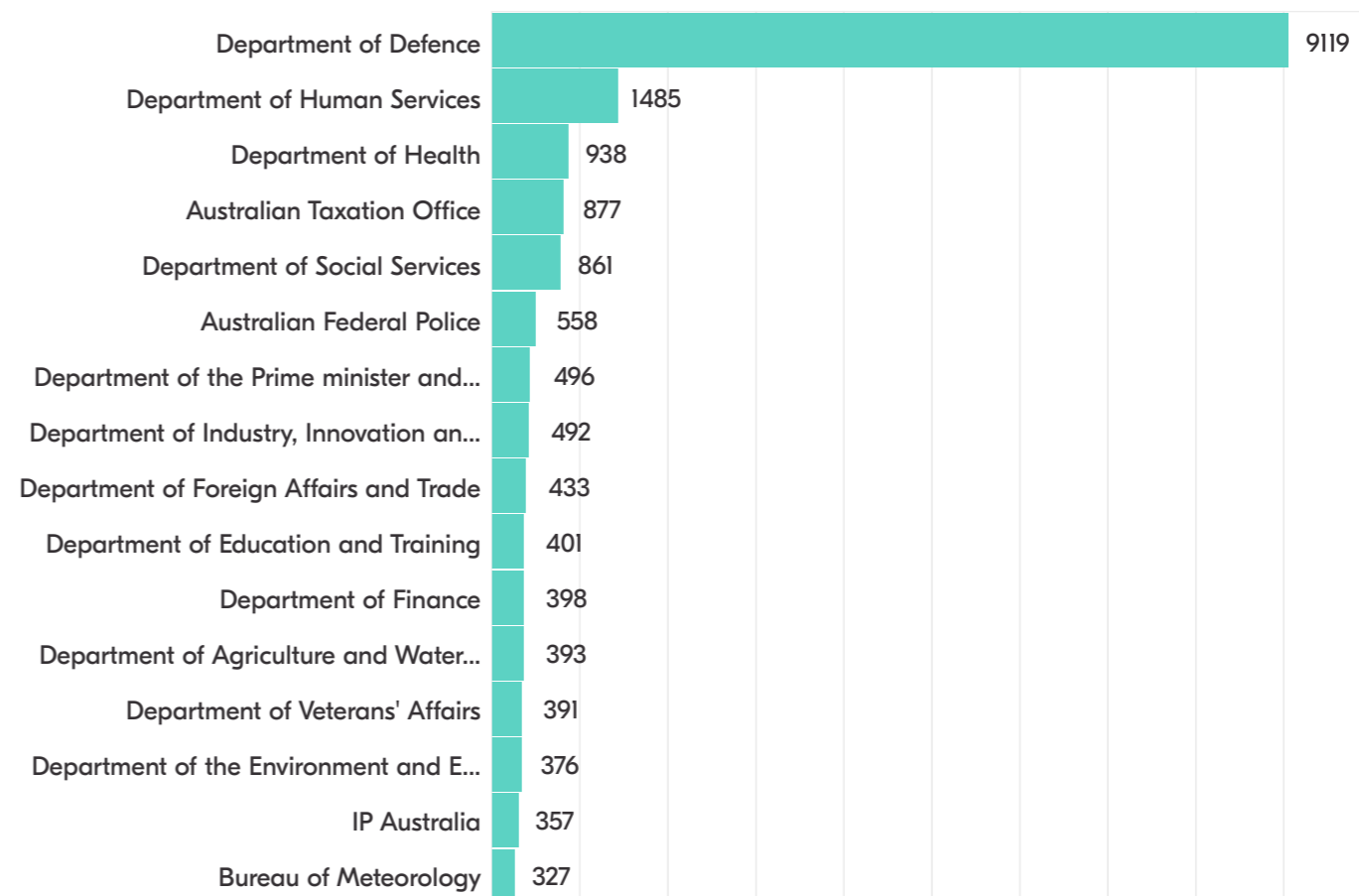
Data Field	OCDS mapping
Procuring entity	tender/procuringEntity
Contract date	contracts/dateSigned
Contract value	contracts/value
Classification of the object of procurement (international system)	item/classification (for any stage)
Procurement method	tender/procurementMethod
Classification of the object of procurement (goods, services and construction services)	tender/mainProcurementCategory + item/classification
Parent entity	-
Budget source	planning/budget
Buyer entity	buyer

**STEP 4: Generate dataset**

Having mapped the required fields to the OCDS, the publisher is ready to generate the master dataset that will be used for creating final statistical dashboards.

**STEP 5: Generate statistical dashboards**

Once the dataset is available, the publisher can generate dashboards across the required statistics; for example, the total amount of contracts from the Australian dataset might look like this:



The OCP guidance further describes each of the five steps in detail for technical implementers. It uses data from Australia to illustrate the steps and includes practical hints. You can access it here: <http://bit.ly/OCPAustraliaexample>

**Conclusion**

GPA countries struggle to comply with the transparency and reporting requirements of the Agreement. Poor information sharing drags the effectiveness of the collaboration and impedes its spirit. Open data technology allows procuring entities to easily avoid these hurdles and effectively eliminate the burden of manually tracking statistics and reporting to the GPA Secretariat. Using the free Open Contracting Data Standard can help countries to collect and publish information with ease, empowering them to pursue the GPA's cross-border procurement objectives. The data standard can improve a government's oversight of its procurement, increase business participation and engage civil society in monitoring procurement more effectively.

# ANNEX I: What does GPA require in terms of procurement transparency?

WTO GPA obliges and in some cases encourages parties to publish information about procurement in the “appropriate paper or electronic medium”. The table below summarizes the GPA requirements:

Legal basis	Required information for publication
Article 7: Notices	The name and address of the procuring entity and other information necessary to contact the procuring entity and obtain all relevant documents relating to the procurement, and their cost and terms of payment, if any;
	a description of the procurement, including the nature and the quantity of the goods or services to be procured or, where the quantity is not known, the estimated quantity;
	for recurring contracts, an estimate, if possible, of the timing of subsequent notices of intended procurement;
	a description of any options;
	the time-frame for delivery of goods or services or the duration of the contract;
	the procurement method that will be used and whether it will involve negotiation or electronic auction;
	where applicable, the address and any final date for the submission of requests for participation in the procurement;
	the address and the final date for the submission of tenders;
	the language or languages in which tenders or requests for participation may be submitted, if they may be submitted in a language other than an official language of the Party of the procuring entity;
	a list and brief description of any conditions for participation of suppliers, including any requirements for specific documents or certifications to be provided by suppliers in connection therewith, unless such requirements are included in tender documentation that is made available to all interested suppliers at the same time as the notice of intended procurement;
where, pursuant to Article IX, a procuring entity intends to select a limited number of qualified suppliers to be invited to tender, the criteria that will be used to select them and, where applicable, any limitation on the number of suppliers that will be permitted to tender; and	
an indication that the procurement is covered by this Agreement.	
As early as possible in each fiscal year a notice regarding their future procurement plans (hereinafter referred to as “notice of planned procurement”). The notice of planned procurement should include the subject-matter of the procurement and the planned date of the publication of the notice of intended procurement	
Article 9: Qualification of Suppliers	<p>The notice provided for in paragraph 7 (multi-use list of suppliers) shall include:</p> <ol style="list-style-type: none"> <li>① a description of the goods or services, or categories thereof, for which the list may be used;</li> <li>② the conditions for participation to be satisfied by suppliers for inclusion on the list and the methods that the procuring entity will use to verify that a supplier satisfies the conditions;</li> <li>③ the name and address of the procuring entity and other information necessary to contact the entity and obtain all relevant documents relating to the list;</li> <li>④ the period of validity of the list and the means for its renewal or termination, or where the period of validity is not provided, an indication of the method by which notice will be given of the termination of use of the list; and</li> <li>⑤ an indication that the list may be used for procurement covered by this Agreement.</li> </ol>

Article 10: Technical Specifications and Tender Documentation	<p>&lt;..&gt; tender documentation that includes all information necessary to permit suppliers to prepare and submit responsive tenders. Unless already provided in the notice of intended procurement, such documentation shall include a complete description of:</p> <ol style="list-style-type: none"> <li>① the procurement, including the nature and the quantity of the goods or services to be procured or, where the quantity is not known, the estimated quantity and any requirements to be fulfilled, including any technical specifications, conformity assessment certification, plans, drawings or instructional materials;</li> <li>② any conditions for participation of suppliers, including a list of information and documents that suppliers are required to submit in connection with the conditions for participation;</li> <li>③ all evaluation criteria the entity will apply in the awarding of the contract, and, except where price is the sole criterion, the relative importance of such criteria;</li> <li>④ where the procuring entity will conduct the procurement by electronic means, any authentication and encryption requirements or other requirements related to the submission of information by electronic means;</li> <li>⑤ where the procuring entity will hold an electronic auction, the rules, including identification of the elements of the tender related to the evaluation criteria, on which the auction will be conducted;</li> <li>⑥ where there will be a public opening of tenders, the date, time and place for the opening and, where appropriate, the persons authorized to be present;</li> <li>⑦ any other terms or conditions, including terms of payment and any limitation on the means by which tenders may be submitted, such as whether on paper or by electronic means; and</li> <li>⑧ any dates for the delivery of goods or the supply of services.</li> </ol> <p>All (such) modifications or amended or re-issued notice or tender documentation:</p> <ol style="list-style-type: none"> <li>① to all suppliers that are participating at the time of the modification, amendment or re-issuance, where such suppliers are known to the entity, and in all other cases, in the same manner as the original information was made available;</li> </ol>
Article 13: Limited Tendering	A procuring entity shall prepare a report in writing on each contract awarded under paragraph 1 (limited tendering). The report shall include the name of the procuring entity, the value and kind of goods or services procured and a statement indicating the circumstances and conditions described in paragraph 1 that justified the use of limited tendering.
Article 14: Electronic Auctions	<p>Where a procuring entity intends to conduct a covered procurement using an electronic auction, the entity shall provide each participant, before commencing the electronic auction, with:</p> <ol style="list-style-type: none"> <li>① the automatic evaluation method, including the mathematical formula, that is based on the evaluation criteria set out in the tender documentation and that will be used in the automatic ranking or re-ranking during the auction;</li> <li>② the results of any initial evaluation of the elements of its tender where the contract is to be awarded on the basis of the most advantageous tender; and</li> <li>③ any other relevant information relating to the conduct of the auction.</li> </ol>
Article 16 (2): Transparency of Procurement Information	<p>The notice shall include at least the following information:</p> <ol style="list-style-type: none"> <li>① a description of the goods or services procured;</li> <li>② the name and address of the procuring entity;</li> <li>③ the name and address of the successful supplier;</li> <li>④ the value of the successful tender or the highest and lowest offers taken into account in the award of the contract;</li> <li>⑤ the date of award; and</li> <li>⑥ the type of procurement method used, and in cases where limited tendering was used in accordance with Article XIII, a description of the circumstances justifying the use of limited tendering.</li> </ol>

## What information does the WTO GPA require in terms of reporting?

WTO GPA members are required to periodically report to the WTO GPA Secretariat on a number of

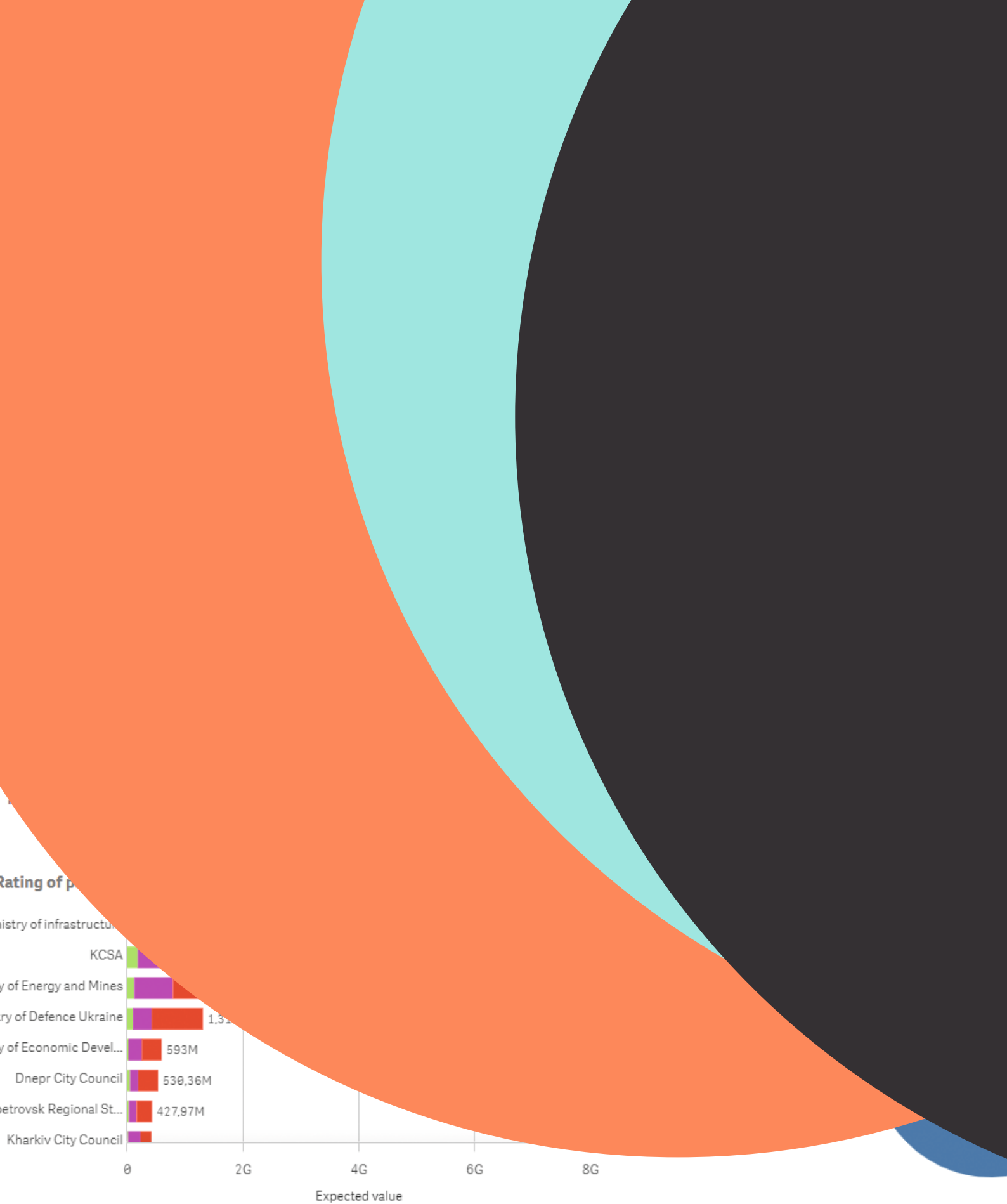
Legal basis	Required information for publication
The paragraph 4 of Article XVI of Revised GPA demands for Parties to submit the following statistics in their yearly reports, for central government (Annex I) procuring entities:	<ul style="list-style-type: none"> <li>• Required information the number and total value, for all such entities, of all contracts covered by this Agreement;</li> <li>• the number and the total value of all contracts covered by this Agreement awarded by each such entity, broken down by categories of goods and services according to an internationally recognized uniform classification system;</li> <li>• the number and the total value of all contracts covered by this Agreement awarded by each such entity under limited tendering.</li> </ul>
for sub-central government and other (Annex II and III) procuring entities:	<ul style="list-style-type: none"> <li>• the number and the total value of all contracts covered by this Agreement awarded by all such entities, broken down by Annex.</li> </ul>
where it is not feasible to provide the data:	<ul style="list-style-type: none"> <li>• estimates for the data required under subparagraphs (a) and (b), with an explanation of the methodology used to develop the estimates.</li> </ul>

## About the Open Contracting Partnership

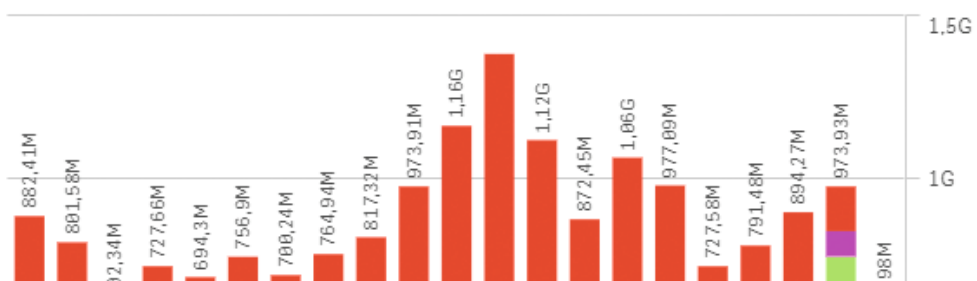
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**We build a global community for change and support powerful examples of what is possible when governments, businesses and citizens work together. We measure and share results from open contracting, including increased competition, better value for money, and improved efficiency, integrity and trust in public markets.**

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